

DELEGATION OF AUTHORITY

DATE: 8-15-17

CLEAN AIR ACT

7-43. Noncompliance Penalty: Granting of Exemptions

1. PURPOSE AND AUTHORITY.

A. Purpose. To redelegate the authority contained in Delegation 7-43 issued by EPA Headquarters on January 18, 2017.

B. Authority. Pursuant to Section 120(a)(2)(B) of the Clean Air Act (CAA), to grant any exemptions from noncompliance penalties mandated by Section 120 of the CAA.

2. TO WHOM REDELEGATED.

A. The Director, Office of Environmental Stewardship (OES).

3. REDELEGATION AUTHORITY.

A. These authorities may be redelegated to the Branch Chief level, or equivalent, and no further.

B. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS.

A. Prior to granting an exemption for inability to comply for reasons entirely beyond the owner's control, the Director, OES must consult with the Regional Administrator (RA) and the Assistant Administrator (AA) for the Office of Enforcement and Compliance Assurance (OECA).

B. The RA and the AA for OECA may waive, in writing, the consultation requirement.

C. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

D. The AA for OECA may grant an exemption in cases that the AA initiated and must notify any affected RA prior to exercising this authority.

5. ADDITIONAL REFERENCES. Section 120(a)(2)(B) of the CAA.


ENVIRONMENTAL PROTECTION AGENCY
REGION 1 - BOSTON

CLASS. NO.: 1200
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6. SUPERSESSION. None.


Deborah A. Szaro
Acting Regional Administrator

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